Docket No. 49286USA9C

DECLARATION, POWER OF ATTORNEY, AND PETITION

We, Michael A. Johnson, Clayton A. George, Peggy S. Willett, and Scott R. Meyer, declare that: (1) our respective residences, citizenships, and mailing addresses are indicated below; (2) we have reviewed and understand the contents of our patent application, including the claims, as amended by any amendment specifically referred to herein, which is identified as U.S. Patent Application Serial No. 08/421,055, filed April 12, 1995; (3) we believe that we are the original, first, and joint inventors or discoverers of the invention or discovery in

MELT-FLOWABLE MATERIALS AND METHOD OF SEALING SURFACES

described and claimed therein and for which a patent is sought; and (4) this application in part discloses and claims subject matter disclosed in our earlier filed pending application, Serial No. 08/150,692, filed November 10, 1993, and 08/047,862, filed April 13, 1993; (5) we hereby acknowledge our duty to disclose to the Patent and Trademark Office all information known to us to be material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56*; and (6) we hereby acknowledge our duty to disclose to the Patent and Trademark Office material information as defined in Title 37, Code of Federal Regulations, §1.56* which occurred between the filing date of said earlier application and the filing date of this application.

No application for patent or inventor's certificate on said common or said non-common subject matter has been filed by us or our representatives or assigns in any country foreign to the United States of America, except as follows:

Country	Application No.	Filing Date
PCT (Australia, Canada, People's Republic of China, Belgium, France, Germany, Italy, Spain, Sweden, United Kingdom), Japan, Korea) (EPO designating	US94/11593	October 14, 1994
Mexico	948449	October 31, 1994
Taiwan	83-109693	October 19, 1994
Canada	2115888	February 17, 1994
EPO (designating France, Germany, Italy, Spain, Sweden, United Kingdom)	94.105789.5	April 14, 1994

We hereby appoint Gary L. Griswold (Reg. No. 25,396), Walter N. Kirn (Reg. No. 21,196), Roger R. Tamte (Reg. No. 21,093), Terryl K. Qualey (Reg. No. 25,148), Warren R. Bovee (Reg. No. 26,434), Carolyn A. Bates (Reg. No. 27,853), Gerald F. Chernivec (Reg. No. 26,537), and Patrick J. O'Connell (Reg. No. 33,984) our attorneys with full powers (including the powers of appointment, substitution, and revocation) to prosecute this application and any division, continuation, continuation-in-part, reexamination, or reissue thereof, and to transact all business in the Patent and Trademark Office connected therewith; the mailing address and the telephone number of the above-mentioned attorneys are

Attention: Patrick J. O'Connell
3M Office of Intellectual Property Counsel
P.O. Box 33427
St. Paul, Minnesota 55133-3427
Telephone No. (612) 733-1500

The undersigned petitioners declare further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the aforementioned specification and we hereby subscribe our names to the foregoing specification and claims, Declaration, Power of Attorney, and Petition, on the date indicated below.

*Title 37, Code of Federal Regulations, §1.56 is reproduced on the back of this page.

§1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

Witness

Witness

Michael A. Johnson 1-of-2 Date 6/1/95
Residence: City of Stillwater, County of Washington, State of Minnesota MN
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Witness

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Witness

Witness

Scott R. Meyer 4-of-2 Date 6/9/95
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